**Civil Servants' Right to Air their views on General Political and Economic Issues**

*74 SHRI CHIMANBHAI MEHTA:
SHRI G. G. SWELL:

Will the PRIME MINISTER be pleased to state:

(a) whether Civil Servants have a right to publicly air their views on the issues not related to their department but related to general political and economic issues;

(b) whether the bureaucrats are supposed to carry out Honourable Ministers' order even if that order violates rules and regulations; and

(c) whether Government have come across such incidents when Honourable Minister crosses the limit of rules and regulations in his dealing with subordinate officers?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. MARGARET ALVA): (a) In terms of the Conduct Rules a Government servant is prohibited from making a public statement which has the effect of an adverse criticism of a current or recent policy of the Central Govt. or a State Government.

(b) The Conduct Rules prescribed that no Government servant shall in the performance of his official duty, or in the exercise of powers conferred on him, act otherwise than in his best judgement except where he is acting under the direction of his official superior. Existing instructions also provide that if any officer receives oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations, or procedures he should seek further clear orders from the Secretary or the Head of the Department as the case may be, about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms or procedure.

(c) No such incidents have come to notice.

**Assessment of Liabilities**

*75. SHRI RAJNI RANJAN SAHU:
SHRI ANANTRAM JAISWAL:

Will the Minister of CHEMICALS & FERTILIZERS be pleased to refer to the answer to Unstarred Question 5823 given in the Rajya Sabha on 5th May, 1994 and state:

(a) what are the names of the companies and liability which have been worked out between 1991-92 to date;

(b) what were the liabilities and identical details for 1990-91;

(c) what is the total amount recovered year-wise, from the beginning upto 30th June, 1994 and what are the details of each company from whom money has been recovered; and

(d) what are the details of amount still to be recovered along with the names of companies?

THE MINISTER OF CHEMICALS & FERTILIZERS (SHRI RAM LAKHAN SINGH YADAV): (a) to (d) The liabilities in 70 cases amounting to Rs. 256.02 crores have been worked out till date and communicated to the companies. Out of the total liabilities, an amount of Rs. 18.27 crores has been recovered from 29 companies and the balance amount has still to be recovered. Companywise details of the liabilities worked out and amounts recovered are given in the enclosed statement. (*See* below). The recovery of about 174 crores is involved in the proceedings before the Court/orders of the Courts.

**Statement**

*Company-wise details of the liabilities worked out and the amount recovered.*

(Rs. in lakh)

| | | | Amount of Liability | Amount Deposited |
|---|---|---|---|---|
| A. | SUPREME COURT CASE COMPANIES : | | | |
| 1. | M/s. Cyanamid (I) Ltd. (Dimethylchloro Tetra Cycline & Formulations) | Upto Oct. 83<br>1984—87<br>Total | 490.47<br>830.05<br>1320.52 | 100.00 |
| 2. | M/s. Hoechst (I) Ltd. (Baralgon Ketone PMT, Frusemide, Pheniramine Maleatem, Glyhenclamide & Formulations) | Upto Dec. 83<br>1984—87<br>Total | 2491.05<br>5289.75<br>7780.80 | 312.10 |
| 3. | M/s. John Wyeth & | Upto Dec. 83 | 206.97 | 45.00 |
| 4. | M/s. Geoffery Manners (Benzathine Pen & Formulatilns) | 1984—87<br>Total | 299.95<br>506.92 | |
| 5. | M/s. Merind (I) Ltd. (Dexamethasone & Formulations) | Upto Dec. 83<br>1984—87<br>Total | 781.58<br>1610.14<br>2391.72 | .. |
| 6. | M/s. Pfizer Ltd. (Oxytetracycline & Formulations) | Upto Dec. 83 | 87.61 | 43.80 |
| 7. | M/s. Franco India & | Up to Dec. 83 | 14.42 | 1.43 |
| 8. | M/s. Griffon Labs. (Phenoxymethyl Pen. Tab.) | 1984—87<br>Total | N. A. *<br>14.42 | |
| 9. | M/s. Tamil Nadu Dadha (Calcium Lactate) | Upto Dec. 83<br>1984—87<br>Total | 37.97<br>N.A.*<br>37.97 | .. |
| 10. | M/s. Anil Starch (Dextrose Anhydrous) | Upto Dec. 83<br>1984—87<br>Total | 11.61<br>1.16<br>12.77 | .. |
| 11. | M/s. S. G. Pharmaceuticals (Oxyphenabutazone) | Upto Dec. 83<br>1984—87<br>Total | 205.36<br>N.A.*<br>205.36 | .. |
| 12. | M/s. Ethnor Ltd. (Tetramisole Hcl—Decaris Tab.) | Upto Dec. 83 | 10.19 | 10.19 |
| | | SUB-TOTAL | 12368.28 | 512.52 |
| B. | RECOVERY UNDER PARA 7(2) : | | | |
| | *Rifampicin* | | | |
| 1. | M/s. Biochem Pharmaceuticals | 3/79 to 3/84 | 3434.28 | .. |
| 2. | M/s. Lyka Labs. | 4/79 to 3/84 | 57.57 | 5.70 |
| 3. | M/s. Astra IDL | 82-83 to 5/84 | 24.11 | 2.41 |
| 4. | „ Micro Labs. | 79-80 to 82-83 | 2.24 | .. |

*N.A.—Not Assessed.

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| 5. | M/s Themis Chemicals | 82-83 to 83-84 | 36.31 | .. |
| 6. | „ Alembic Chemicals | 81-82 to 83-84 | 38.73 | 3.80 |
| 7. | „ Bombay Drug House | 80-81 to 83-84 | 1.73 | .. |
| 8. | „ Pharmed Ltd. | 79-80 to 83-84 | 66.01 | .. |
| 9. | „ Dolphin Labs. | 1979 to 1983 | 18.11 | |
| 10. | „ Albert David Ltd. | 11/81 to 9/83 | 3.91 | 3.91 |
| 11. | „ Pharma & Chem. Ind. | 80-81 to 82-83 | 87.99 | .. |
| 12. | „ Cadila Labs. | 79-80 to 83-84 | 76.52 | 7.50 |
| 13. | „ Sarabhai Chemicals | 82-83 to 83-84 | 4.14 | 2.00 |
| 14 | „ Lupin Labs. | 8/80 to 3/84 | 215.89 | 21.60 |
| 15 | „ Ranbaxy Labs. | 4/79 to 6/84 | 36.23 | 3.63 |
| 16 | „ Wallance Pharmaceuticlals | 4/82 to 2/84 | 2.82 | 0.29 |
| 17. | „ Ethico Drugs & Chem. Company | 5/82 to 3/84 | 140.98 | .. |
| 18. | „ I.D.P.L. | 12/80 to 1/86 | 2.13 | .. |
| 19. | „ H.A.L. | 81-82 to 83-84 | 36.66 | .. |
| 20. | „ Mercury Labs. | 4/79 to 12/83 | 20.17 | .. |
| | | SUB-TOTAL | 906.53 | 50.84 |
| *Dipyrademol* : | | | | |
| 21. | M/s. German Remedies | 4/79 to 7/84 | 59.95 | 59.95 |
| *Gentamycin* : | | | | |
| 22. | M/s. Fulford (I) Ltd. | 79-80 to 2/84 | 194.62 | 50.00 |
| 23. | „ Biochem Paharmaceuticals | 79-80 to 3/84 | 33.88 | .. |
| 24.. | „ Lyka Labs. | 7/79 to 3/84 | 17.47 | 1.75 |
| 25 | „ Nicholas Labs. | 79 to 80 to 3/84 | 53.03 | 10.00 |
| | | SUB-TOTAL | 299.00 | 61.75 |
| *Solbutamol* | | | | |
| 26. | M/s. Khandelwal Labs. | 79-80 to 81-82 | 0.15 | .. |
| 27. | „ Biddle Sawyer | 4/79 to 3/83 | 142.74 | .. |
| *Sulphamethoxazole* : | | | | |
| 28. | M/s Burroughs Wellcome | 1979 to Feb. 84 | 191.15 | .. |

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| | *Fluocinolone Acetonide* | | | |
| 29 | M/s. Lyka Labs. . . . . | 1979 to Aug. 87 | 678.73 | .. |
| | *Ethambutol :* | | | |
| 30. | M/s. Lyka Labs. . . . . | 1-4-79 to 31-3-86 | 53.84 | .. |
| | *Dexamethasone :* | | | |
| 31. | M/s. Wyeth Labs. . . . . | 1-4-79 to 14-3-84 | 90.05 | .. |
| | *Clofazamine :* | | | |
| 32. | M/s. S. G. Pharmaceuticals . . . | 4/79 to 3/84 | 5.01 | .. |
| | *Ampicillin & Amoxycillin :* | | | |
| 33. | M/s. Biochem Pharmaceuticals . . . | 79-80 to 83-84 | 11.80 | .. |
| | *Oxyphenbutazone :* | | | |
| 34. | M/s. Tablets India Ltd. . . . . | 79-80 to 83-84 | 9.49 | .. |
| | *Metronidazole :* | | | |
| 35. | M/s. Boots India Ltd. . . . | 79-80 to 8/87 | 62.17 | 62.17 |
| 36. | ,, S.S.P.L. . . . . | 79-30 to 83-84 | 7.82 | .. |
| 37. | ,, K.S.D.P.L. . . . . | 79-80 to 83-84 | 5.50 | .. |
| 38. | ,, Khandelwal Labs. . . . . | 79-80 to 3/84 | 1.34 | .. |
| 39. | ,, I.D.P.L. . . . . | 79-80 to 3/84 | 20.33 | .. |
| | | Sub-Total (B) | 2597.16 | 262.97 |
| | *Trimethoprim :* | | | |
| 40. | M/s. German Remedies . . . . | 2/82 to 5/86 | 8.25 | 8.25 |
| | | Sub-Total (B) | 2553.85 | 242.96 |

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| C. | OTHER CASES : | | | |
| 1. | M/s. Glaxo India Ltd. (Betamethasone & its Salts) | 1981 to Aug. 87 | 7178.00 | 819.00 |
| 2. | ,, Sarabhai Chemicals (Vitamin C) | Misc. | 20.00 | 20.00 |
| 3. | ,, Sandoz (I) Ltd. (Multi-vitamin Formulations) | 1-4-86 to Sept. 87 | 74.68 | 37.34 |
| 4. | ,, Pfizer (Multi-vitamin Formulations) | April 86 to Dec. 88 | 98.00 | 49.00 |
| 5. | ,, Parke Davis (Multi-vitamin Formulations) | Aug. 83 to Aug. 87 | 1466.15 | .. |
| 6. | ,, Abbott Labs. (Multi-vitamin Formulations) | March 86 to Aug. 87 | 182.38 | 91.19 |
| 7. | ,, Warner Hindustan (now Parke Davis) (Isokin & Pyradium Tabs.) | 1982 to 1986 | 106.36 | 55.49 |
| 8. | ,, Boehringer Knoll (Euglucon Tabs.) | 13-12-84 to 31-01-88 | 97.74 | .. |
| 9. | ,, Carews (Combiflam Tabs.) | Nov. 86 to Dec. 88 | 710.24 | .. |
| 10. | ,, I.D.P.L. (Imported Bulk Drugs) | 1985-86 to 1987-88 | 336.45 | .. |
| 11. | ,, Krupa Traders (Rifampicin) | 1989-90 | 20.48 | .. |
| 12. | ,, I.D.P.L. (Sulphadimidine) | Aug. 87 to Nov. 87 | 37.30 | .. |
| 13. | ,, A.P. Chemicals (Paracetamol) | Feb. 88 to Nov. 90 | 25.43 | .. |
| 14. | ,, Malladi Drugs (Ephedrine) | April 88 to March,90 | 116.30 | .. |
| 15. | ,, Lupin Labs. (Rifampicin) | 1988 to 1991 | 3.72 | .. |
| 16. | M/s. Lupin Labs. (Ethambutol) | 1989 to 1990 | 17.31 | .. |
| 17. | ,, Pfizer (I) Ltd. (Protinex) | April 86 to July 89 | 81.83 | .. |
| 18. | ,, Bayer India Ltd. (Chloroquin Phosphate) | 1979-80 to 1988 | 107.37 | .. |
| | | SUB-TOTAL (C) | 10679.74 | 1072.02 |
| | | GRAND TOTAL (A+B+C) | 25601.87 | 1827.50 |